

# Notice of Allowability

Application No.

10/626,066

Examiner

Dady Chery

Applicant(s)

HAMZAH ET AL.

Art Unit

2616

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/28/2007.
2. ☒ The allowed claim(s) is/are 1, 2, 5-12, 20-21, 19 and 23 renumbered as 1-15 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This communication is responsive to the amendment filed on 07/27//2007.

### ***Allowable Subject Matter***

Claims 1,2,5-12, 20 –22, 19 and 23 are allowed.

1. The following is a statement of reasons for the indication of allowable subject matter:

1. The following is an examiner's statement of reasons for allowance: Erimli discloses a method and system for controlling the flow data frames through a network switch on a port by port basis. Nelisse discloses a buffer acceptance method. The prior art of record fails to anticipate or render obvious the following recited features: circuitry for designating a plurality of virtual space regions in the buffer, wherein each one of said virtual space regions serves a respective packet communicating session; circuitry, for detecting packet congestion in at least one congested virtual space region in the plurality of virtual space regions, wherein said detecting includes circuitry for detecting when a number of packets stored in said one congested virtual space region the buffer" exceeds a buffer storage region threshold corresponding to said one congested virtual space.

## **2. Conclusion**

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Galand et al. (US Patent 5,838,922) discloses a back pressure access control system for a shared buffer with allocation threshold for each traffic class.

Simmons et al. (US Patent 6,192,028) discloses a method and apparatus providing programmable threshold for half-duplex flow control in a network switch.

Jeffries et al. (US Patent 6,035,333) discloses a method and system for providing congestion control in data communications network.

Linville et al. (US Patent 6,026,075) discloses a flow control mechanism.

De Cnodder et al. (US Patent 6,912,226) discloses a method to generate an acceptance decision in a telecommunication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dady Chery whose telephone number is 571-270-1207. The examiner can normally be reached on Monday - Thursday 8 am - 4 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dady Chery 09/07/2007



RICKY Q. NGO  
SUPERVISORY PATENT EXAMINER